



## Cornyn -Murphy Senate Gun Control Deal

### National Association for Gun Rights Position: **Oppose**

- **BANS gun possession based on juvenile records** for all gun owners. This is retroactive, so if a gun owner committed a disqualifying crime at age 16 and he's now 45, he would lose his gun rights as soon as this bill was enacted and would need to dispose of his guns.
  - *Section 12001*
- **STRIPS gun rights for adults based on mental health care** after the age of 16. If a juvenile is involuntarily sent to a mental health hospital – a decision often made by state social services authorities, not the parents – his gun rights would be stripped for the rest of his life.
  - *Section 12001(a)(1)(A)(ii)*
- **Opens up decades-old juvenile records**, dumps them into the NICS prohibited persons list, uses them to disqualify gun purchases for law-abiding adults. What state records would qualify and which would not are left unclear and would likely be up to the state.
  - *Section 12001(a)(2); Division B, Title I*
- **Makes it much more difficult for 18-20-year-olds to purchase any firearm.** The three-day waiting period would be extended to 10 days for anyone under the age of 21 if NICS found any hint of a “problematic” juvenile record. NICS would ask the state/local repositories for details on juvenile mental health/criminal records during that time.
  - *Section 12001*
- **Authorizes \$750 million in federal funding for state “red flag” gun confiscation programs** with NO due process protections. This funding is through an existing grant program, which the bill expands to cover state “red flag” programs.
  - *SEC. 12003; Division B, Title I*



- **\$300 million to dump juvenile records into NICS** and start reporting on them without due process. \$200 million would go to the states to cover their new juvenile records reporting requirement, and \$100 million would go to meet the “additional resource needs” of the NICS system. This is a massive expansion of the NICS database.
  - *Division B, Title I*
- **STRIPS gun rights due to toxic dating relationships** or bad breakups. Misdemeanor gun violence convictions involving current or former “dating partners” (defined vaguely enough to cover close platonic friendships) would result in loss of gun rights.
  - *Section 12005*
- **Could open the door for senior citizen gun bans** via suspicious funding for the Medicare Improvement Fund. The bill leaves the amount and the purpose blank.
  - *Subtitle B, Section 13201*
- **Opens up the floodgates for prosecution** of law-abiding gun dealers. The new language defining “dealer” means that the FFL could be prosecuted for “dealing without a license” for selling guns later used in crimes. It is unclear how far this language goes and if it would apply to guns later sold to a criminal third party. In addition, if the FFL had “reasonable cause to believe” the gun will be used in a crime – whatever constitutes “reasonable cause” – he would be prosecuted under the new definition of gun trafficking.
  - *Section 12002, Section 12004*
- **Criminalizes more private gun sales.** This bill expands the definition of FFL to someone who sells guns to “predominantly earn a profit” instead of someone who does it to earn a living. This greatly expands the possibility of prosecution for dealing without a license for private gun sales.
  - *Section 12002*